

REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the language.

Claims 30-46 are pending in the application. Claims 38-42, 44 and 45 have been withdrawn from consideration. The amendments to claim 30 find support in the specification at page 5, lines 2-12. The claims have additionally been amended to improve the language, and it is believed that the amendments to claims 31-37, 43 and 46 are non-narrowing.

Acknowledgement of the allowability of claims 31, 32, 35, 37, 43 and 46 is noted with appreciation.

No new matter is believed to be added to the application by this amendment.

The Drawings

The drawings have been objected to as not showing all the features set forth in claim 30. However, claim 30 has been amended to show features depicted in the drawings.

The Specification

The specification has been objected to as containing informalities. The specification has been amended to be free from informalities.

Also, the specification has been amended to alternately recite "fingers" for "petals". However, it is noted that the applicant can be his/her own lexicographer.

Claim Objections

Claims 30, 35 and 37 have been objected to as containing informalities. The claims have been amended to be free from informalities.

Also, claim 35 has been amended to replace the term "petal" with the term "finger."

Rejection Under 35 USC §112, Second Paragraph

Claims 30-37, 43 and 46 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

The comments in the Official Action have been considered, and the claims have been amended accordingly. However, it is noted that the term "said threaded pin (16)" in claim 34 has clear antecedent basis in claim 30. Also, claim 32 has been amended to depend upon claim 30.

The claims are thus clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejections Based On METRAUX

Claims 30 and 33-34 have been rejected under 35 USC §102(b) as being anticipated by METRAUX (U.S. Patent 5,254,187). Claim 36 has been rejected under 35 USC §103(a) as being unpatentable over METRAUX. This rejections are respectfully traversed.

The present invention pertains to an anti-skid system for

vehicle wheels that is illustrated, by way of example, in Figure 1 of the application, which is illustrated below.

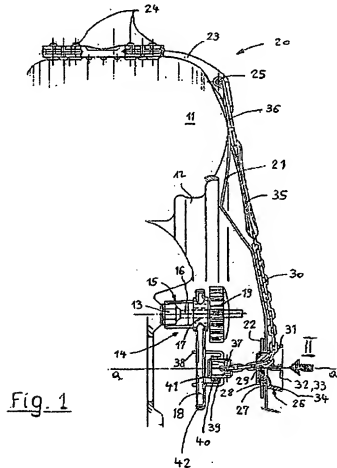


Figure 1 shows a clamping element 15, a connecting rod 18, a threaded operating pin 16, a collar 17 and an operating knob 19. Claim 30 of the present invention sets forth "a threaded operating pin (16) extending from the clamping element (15) passing through said collar (17), and an operating knob (19) screwable on said threaded operating pin (16) of the clamping element (15) in opposition to said collar (17)."

METRAUX pertains to an anti-skid device for vehicle wheels. Figures 1 and 2 of METRAUX are reproduced below.

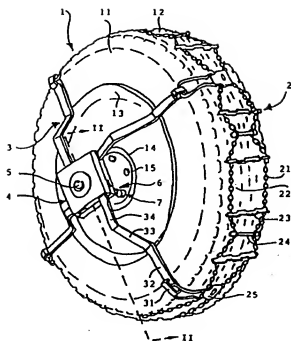


Fig. 1

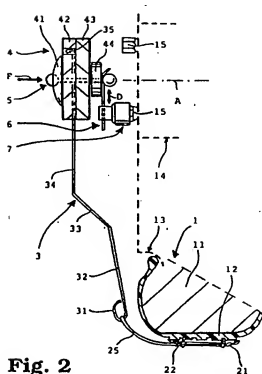


Fig. 2

METRAUX (which now belongs to the applicant) has fundamental differences with respect to the invention. The elasticity of the system, makes it suitable to be automatically loaded on the wheel tire, derives from elastic tensioner 5, which supplies elastic thrust F acting between central connecting body 4 and the pincer 7 connected to the bolt of the wheel rim. The arms 33 of METRAUX are rigid, so it is necessary to provide an elastic tensioner 5 between tail 6, 6' and central connecting body 4.

Moreover, cap 74 is screwed onto slit ring 71 before the rest of the system can be mounted, and once cap 74 has been fastened to bolt 15, tail 61 can be inserted and then the entire system can be fastened.

In contrast, in the present invention as defined in instant

claim 30, connecting rod 18 can be maintained within collar 17 during mounting because a different fastening system is provided. In the present invention, the clamping element is provided with a threaded operating pin 16 on which a knob 19 can be screwed, and which acts on clamping element 15 abutting collar 17, which remains fixed in rotation. This allows blocking the clamping element to the bolt of the wheel rim acting only on knob 19, hence without having to take off connecting rod 18 from collar 17.

That is, METRAUX shows no operating knob which may be screwed on a threaded pin of the clamping element in opposition to a collar, such as is set forth in claim 30 of the present invention. Furthermore, no constraining bracket is shown carried on the tail 61 of METRAUX.

METRAUX thus clearly fails to anticipate claim 30 of the present invention. Claims depending upon claim 30 are patentable for at least the above reasons.

The Official Action acknowledges that METRAUX fails to show a package having the system of claim 30. The Official Action then asserts that this package (set forth in claim 36) would be obvious to one of ordinary skill. However, the Official Action fails to point out where in the single reference of METRAUX itself a teaching or inference of a package can be found.

To establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest

all the claim limitations." *MPEP §2143*. In addition, if a reference needs to be modified to achieve the claimed invention "there must be a showing of a suggestion or motivation to modify the teachings of that reference to the claimed invention in order to support the obviousness conclusion." *Sibia Neurosciences Inc. v. Cadus Pharmaceutical Corp.*, 225 F.3d 1349, 55 USPQ2d 1927 (Fed. Cir. 2000).

The single reference of METRAUX is thus insufficient to render claim 36 *prima facie* obvious.

This rejections are believed to be overcome and withdrawal thereof is respectfully requested.

Rejoinder Requested

Claims 38-42, 44 and 45 have been withdrawn from consideration. However, these claims depend upon elected claim 37, the patentability of which has been discussed above. Accordingly rejoinder and allowance of 38-42, 44 and 45 creates no undue burden.

Rejoinder of claims 38-42, 44 and 45 is accordingly respectfully requested.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statements filed April 29, 2005 and July 26, 2005 and for making initialed PTO-1449 Forms of record in the application.

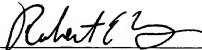
Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

The objections and rejections are believed to have been overcome, obviated or rendered moot, and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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